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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,727	08/27/2001	Sciji Sugimura	1614.1182	2759
21171	7590	11/17/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				LEROUX, ETIENNE PIERRE
		ART UNIT		PAPER NUMBER
		2161		

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/938,727	SUGIMURA, SEIJI
Examiner Etienne P LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 9/5/2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3,6-10,13-18,21-23 and 30-34 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3,6-10,13-18,21-23 and 30-34 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 August 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/5/06</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

***Claim Status:***

Claims 1-3, 6-10, 13-18, 21-23 and 30-34 are pending; claims 4, 5, 11, 12, 19, 20 and 24-29 having been cancelled. Claims 1-3, 6-10, 13-18, 21-23 and 30-34 are rejected as detailed below.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6-10, 13-18, 21-23 and 30-34 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,026,440 issued to Shrader et al (hereafter Shrader).

**Claims 1, 6, 8, 13, 15, 16, 18, 21, 23 and 30-34:**

Shrader discloses:

a storage unit [Fig 1, 27]

a processing part configured to detect a password input error [checking user appropriate DCE credentials col 4, lines 63-66] and to register information identifying the information processing apparatus [client URL, col 4, lines 1-10] by making a transmission to a first database of a registration center [Fig 1, session manager 31] when the password input error is detected and to store transmission log information [FailedLoginCounter, col 5, lines 49-51, Fig 4, step 70, Fig 5, step 74] related to the transmission to the registration center into said storage unit

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Examiner Notes:

Regarding claim 6, Fig 1, 31 and 52 reads on the first database and Fig 3, 27 reads on the second database.

Claims 2, 9 and 17:

Shrader discloses wherein said processing part includes means for transmitting to a second database of the registration center if the transmission log information is stored in said storage unit, and for making a system lock with respect to the information processing apparatus if the information related to the information processing apparatus is registered in the first database or the second database [disabling a DCE user account, col 6, line 8]

Claims 3 and 10:

Shrader discloses wherein said processing part includes means for outputting a warning if the information related to the information processing apparatus is registered in the second database [email, col 2, lines 20-25]

Claims 7, 14 and 22:

Shrader discloses wherein said processing part includes means for deleting the information related to the first apparatus from said first database and/or said second database when a request to delete the information related to the first apparatus is received with respect to said first database and/or said second database, in response to the transmission from the second apparatus [failed login record can be reset, col 12, lines 45-50]

***Response to Arguments***

Applicant's arguments filed 9/5/2006 have been fully considered but they are not persuasive for the reasons given below.

**Applicant Argues:**

Applicant states in the first paragraph of page 10 "Absent from Shrader et al. is any teaching or suggestion of carrying out processes on the information processing apparatus side (the client side), as recited in the independent claims. Thus, Shrader et al does not, for at least this reason, anticipate independent claims 1, 6, 8, 13, 16 and 21."

**Examiner Responds:**

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., carrying out processes on the information processing apparatus side (the client side)) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

10/30/2006

*E.P. LeRoux*  
Primary Examiner